

**BOARD OF SELECTMEN
MINUTES OF MEETING
May 28, 2019**

Present: Chair, Ladleah Dunn, Vice-Chair, Keryn Laite, Jr., David Barrows, Josh Gerritsen, Jon Fishman, and Town Administrator, David Kinney

The quote was read by Selectman Laite.

1. Executive Session – Consultation with Town Attorney pursuant to Title 1 MRSA Section 405(6)(E) regarding pending litigation – Adams, et al. v. Nationstar Mortgage; Department of Housing and Urban Development; Town of Lincolnville, Maine Department of Environmental Protection; and Justin Humes:

Laite made a motion that pursuant to Title 1 MRSA Section 405(6)(E) that the Board of Selectmen enters into executive session for consultation with the Town Attorney regarding pending litigation – Adams, et al. v. Nationstar Mortgage, et als. Fishman seconded the motion. The motion passed on a 4-0-0 vote. (Gerritsen joined the meeting in progress.)

2. Citizens' Forum:

There were none.

3. Administrator's Report:

- Absentee Ballots: Absentee ballots are available, for the June election; please stop by the Town Office during regular business hours.
- Fire Department: Patrick Ouillette, Electrical Engineer, met with David Kinney and went over the recent electrical issues at the fire station. Kinney expects to receive a report back in the coming weeks.
- Harbor: Recently, Chair Dunn, Selectman Gerritsen and Town Administrator, Kinney attended the Resiliency kickoff meeting regarding the pier. This is a study the State of Maine is conducting in terms of sea level rise or change.

4. Meeting & Announcements:

Town Administrator, Kinney read the upcoming meetings.

5. Upcoming Community Events:

There were none.

6. Meeting Minutes:

Laité made a motion that the Board approves the May 13, 2019 meeting minutes as amended. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

Gerritsen suggested making two minor changes:

Line 213 change the word forwards to forward.

Line 381 change the word preserving to persevering.

Laité made a motion that the Board approves the May 16, 2019 meeting minutes as presented. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

7. Fire Truck Bid Award Recommendation:

Fire Chief Don Fullington, III and Assistant Fire Chief, Jake Cookson, came before the Board with their recommendation on the proposal for the new fire truck to Greenwood Emergency Vehicles of Brunswick with the prepay option in the amount of \$435,449.

Laité made a motion that the Board award the contract for a new fire truck to Greenwood Emergency Vehicles in the amount of \$435,449 and the Town Administrator be authorized to sign a contract on behalf of the Town. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

The Board thanked Fullington & Cookson for attending the meeting.

8. Energy Team – Site Analysis of Potential Photovoltaic System for School:

John Williams, Energy Team member, explained they have been meeting to consider the pros and cons of installing solar panels at the Lincolnville Central School.

John Williams, with the Energy Team, read the following letter:

- The Energy Team originated with a solar energy project at Lincolnville Community Library. We have since been involved in motivating a project at the firehouse to supply electricity to town buildings, and to upgrade town-owned sidewalk lights at the beach. We wanted to meet with you today for an update on our current activities.

The eTeam has been investigating the possibility for solar panels at Lincolnville Central School. To supply 100% of LCS electricity, the project would be about 5 times the size of the municipal array at the firehouse. We are considering both town-owned and privately-owned properties to site the array.

We have considered the financial implications of either installing panels locally with a direct connection to LCS or sited remotely with connection to LCS via the CMP grid. The finances of using storage batteries to mitigate CMP demand charges have been examined. We have modeled how site prep costs would affect short-term expenses and long-term savings using custom computer code written just for this project. Substantial savings can be realized to save the town money.

The project is now at a stage where better estimates are needed for land procurement and preparation, and for eventual buyout under a PPA. In the near future, we will conduct informal discussions with local site prep contractors and solar installers. This information will allow us to narrow the range of financial possibility, and present the Board with a more detailed analysis.

Williams presented the Board with a hypothetical scenario over a 40-year timeframe with a net savings of roughly \$948,000 savings over Central Maine Power.

Williams also noted the next question would be, “Where are we going to put the solar array?”

The group was interested in the land directly behind the Town Office, which the Town of Lincolnville already owns, to potentially house the 700 panels. The other option would be private land, within the 1000 feet radius, which could be purchased or leased.

Gerritsen spoke in favor of this proposal.

Dunn asked the Energy Team if they have scheduled a meeting with the LCS Committee.

Williams announced that there will be a joint meeting with the Energy Team & the Lincolnville Central School Committee on June 3rd.

Gerritsen made a motion that the Board allows access by the Energy Team members and potential contractors to the various town-owned sites for the purpose of collecting data regarding land procurement and preparation provided that for public safety and school safety that the town office and school be notified of the dates and times of such visits. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

The Board thanked the Energy Team for their community involvement and communication.

9. Emergency Medical Services Update:

Kinney told the Board that the Camden Select Board has agreed to meet with the Town of Rockport, Town of Hope, and the Town of Lincolnville to discuss long term goals and objectives regarding Emergency Medical Services.

The Town of Camden recommended that each town send a maximum of two representatives from each Select Board and each Town's Manager or Town's Administrator.

Kinney also provided the Board with a copy of the contract review done memo prepared by the Camden Town Attorney that he received from Gerritsen regarding a proposed draft contract with North East Mobile Health Services.

Kinney reported, "I met today with the Town Managers from Camden and Rockport and unfortunately the Town of Hope was unable to attend. They both seemed entrenched in attempting to get to a one-year contract extension, which is basically back where we were in January and February with North East Mobile Health Services. Then how we move forward, long term, something can come out of holding a joint meeting with all the Boards."

Kinney felt that at this point, it may be important to recognize that the Town of Camden is willing to have a meeting with us, the Town of Rockport and the Town of Hope to have a conversation.

Dunn noted that our directive hasn't changed in our communication to our partnering towns and continues to remain that the Town of Lincolnville seeks to schedule as soon as possible a meeting of our partnership, Boards of Selectmen so that we can discuss our goals and objectives regarding Emergency Medical Services.

The rest of the Board concurred with Dunn, that the Boards directive and request to the partner community has not changed.

After a lengthy discussion, the majority of the Board recommended sending the entire Lincolnville Select Board to this proposed meeting between the Board of Selectmen, and the other towns can choose to send as little as two members or their entire Board.

Dunn told the Board that the last request from the Town of Camden was to convene a meeting of the partner towns, specifically with regards to our goals and objectives regarding Emergency Medical Services, not to discuss our current contracted provider.

There is a bigger conversation that breaks down into the following two parts:

1. What are our goals as individual communities?
2. Do we have goals going forward as partner towns?

If these two questions can be answered, she then recommended having a conversation about the current provider and or any future providers.

Dunn stated, "Perhaps the Board hires a facilitator for this meeting, in order to put ourselves more on neutral grounds, so that we as individual partner towns can come to this meeting, in a very structured and timed and organized way, voice our positions and move on from that conversation."

The majority of the Board concurred with Dunn regarding hiring a facilitator to run the meeting.

Barrows recommended that all four towns come up with their top three questions to submit to help streamline the meeting.

10. As Board of Assessors:

Barrows made a motion that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Laite seconded the motion. The motion passed on a 5-0-0 vote.

Barrows made a motion that the Board approve and sign the Farmland Withdrawal Penalty Commitment in the amount of \$87.18 for property located at 716 High Street. Fishman seconded the motion. The motion passed on a 5-0-0 vote.

Fishman made a motion that we adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

11. Emergency Management Director – Hiring/Interview Process:

Laité made a motion that Ladleah Dunn along with the Town Administrator be delegated the responsibility of reviewing the EMA Director applications, interviewing prospective candidates and making a recommendation to the full Board at a future meeting. Gerritsen seconded the motion. The motion passed on a 5-0-0 vote.

12. Follow-up discussion concerning Megunticook Dams:

Kinney provided a summary on the need to communicate with the Town of Camden on the repairs and maintenance to the East and West Dams of Megunticook.

Kinney provided the Board with a list of topics regarding the Megunticook Dam and also included the Megunticook Dams Advisory Committee Policy which was adopted by the Lincolnville Board of Selectmen on August 9, 1999. Also included in the packet was the Operation Guidelines for Dams and Water Levels on the Megunticook Lake and Megunticook River, which was adopted by the Camden Select Board on March 19, 2007. Dunn requested that the Board have a discussion in consideration of a significant requests for monies and reviewing the historic agreement that previous Lincolnville Board made, with regards to various parcels.

Dunn felt that since this is a 20-year-old agreement and since the Town of Lincolnville is looking at a significant and potentially consistent financial commitment, that commits us to a 1/3 and the fact that the Town has not really been included in any of the decision makings.

Dunn also noted that the Board's first duties would be to protect the interest of our constituents and she wanted the following questions addressed and called out in some sort of an agreement:

List of discussion topics regarding the Megunticook Dam:

- What if it disbands?
- What if the Camden Board of Selectmen ignores its recommendations?
- How to ensure Lincolnville has input on operational matters?

- How are future work plans established/approved?
- Method and timing of billing?
- Operations vs./repairs/maintenance vs. capital expenditures
- Cost-sharing formula – different percentages for O&M vs. capital expenditures?
Annual caps for each
- How are differences/disputes regarding work plans and/or costs resolved?
- Periodic review of the agreement
- Duration/termination of the agreement
- Remedies of breach
- Review of Dam Policies and procedures

Kinney proposed that the Board set up a Megunticook Dam Committee workshop and in the meantime, alert those in Camden to the fact that any funding requires voter approval for both Camden and Lincolnville.

The Board felt it was important to have a conversation with the Town of Camden prior to the Town of Lincolnville receiving a bill, which gives consideration to our constituents financial interest and how to restructure the agreement that gives the Town of Lincolnville a guarantee to be included in the decision making process.

Laité made a motion that the Board delegate the task of communicating to the Town of Camden our concerns regarding the oversight and operations of the east and west dams to David Barrows and the Town Administrator. Fishman seconded the motion. The motion passed on a 4-0-1 vote. (Barrows abstained.)

The Board thanked Barrows for volunteering.

13. June Meeting Schedule for Board of Selectmen:

The Board decided to hold a warrant only meeting to approve paying the bills and payroll on June 10th at 5:30 PM.

14. Treasurer's and Payroll Warrant(s) – Approve & Sign:

Gerritsen made a motion to approve the Treasurer's and Payroll Warrants. Laité seconded the motion. The motion passed on a 5-0-0 vote.

15. Executive Session pursuant to Title 1 MRSA Section 405(6)(C) to discuss the possible acquisition or disposition of real property where premature disclosure of the information would prejudice the competitive bargaining position of the Town:

Fishman made a motion that pursuant to Title 1 MRSA Section 405 (6)(C) that the Board of Selectmen enter into executive session to discuss the possible disposition of real property where premature disclosure of the information would prejudice the competitive bargaining position of the Town. Gerritsen seconded the motion. The motion passed on a 5-0-0 vote.

16. Adjourn:

Barrows made a motion to adjourn. Gerritsen seconded the motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant